THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.21917 of 2005

Dated 06.10.2005

BETWEEN:

Dwarampudi Sai Baba Reddy and another

…PETITIONERS

and

The Executive Engineer, Roads and & Buildings, Kakinada, East Godavari District and another.

…RESPONDENTS

THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.21917 of 2005

ORDER:

This writ petition is filed by the petitioners aggrieved by the action of the respondents in proposing to demolish their house structures situated at Anaparthi Village, East Godavari District without resorting to any legal proceedings. Therefore, they sought for appropriate orders.

At the time of hearing, it is represented that similar matters have already been disposed of by this Court directing the respondents not to demolish the house structures of the petitioners without resorting to legal proceedings.

Heard the learned counsel for the petitioners and the learned Government Pleader for Roads and Buildings appearing for the respondents.

Though the petitioners have come up with the present petition, they did not place any material showing that the respondent-authorities are actually proposing to demolish their house structures. However, they apprehend that the respondents may demolish the house structures as the same is coming in the way of proposed construction of fly-over across the railway track. In any case, as the petitioners apprehend that the respondent-authorities may demolish their house structures without resorting to any legal proceedings, which the respondents are not expected to do so, it is made clear that if the respondents propose to demolish the house structures in question, they can do so only by initiating appropriate legal proceedings, but not otherwise.

The writ petition is disposed of with the above observations. No costs.

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06.10.2005

Note: Issue CC in three days.

(b/o)

VGB